

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

HORACE BROWNING, :  
Plaintiff, :  
vs. : CIVIL ACTION 06-0474-BH-C  
JERRY FERRELL, et al., :  
Defendants. :

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that Plaintiff's Complaint be and is hereby DISMISSED with prejudice.

**DONE** this 13<sup>th</sup> day of February, 2008.

s/ W. B. Hand  
SENIOR DISTRICT JUDGE